

FORM PTO-1390  
(REV 5-93)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NUMBER  
024931-00027TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: October 19, 2004

U.S. APPLICATION NUMBER  
(IF KNOWN, SEE 37 C.F.R. 1.55)  
107511265  
NEW PATENT APPLICATION

INTERNATIONAL APPLICATION NUMBER PCT/IT02/00680	INTERNATIONAL FILING DATE October 25, 2002	PRIORITY DATE CLAIMED May 28, 2002
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TITLE OF INVENTION: NEBULISER AMPOULE, IN PARTICULAR FOR AEROSOL THERAPY

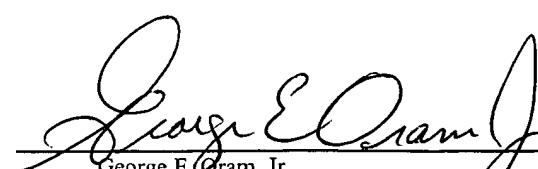
APPLICANT(S) FOR DO/EO/US: Andrea TROMBI (Parma, Italy)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The U.S. has been elected (Article 31).
5.  A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a.  is attached hereto (required only if not transmitted by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application into English [35 U.S.C. 371(c)(2)].
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a.  are attached hereto (required only if not transmitted by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9.  An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

## Items 11 to 20 below concern other document(s) or information included:

11.  An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; Form PTO-1449, International Search Report and References (3).
12.  An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information: Drawings (Figs. 1-6; 3 sheets), Statement Verifying Small Entity Status, Form PCT/RO/101 (copy), Form PCT/408 (copy), Form PCT/409 (copy), WO 03/099360 A1 (copy of page 1)

U.S. APPLICATION NUMBER (IF KNOWN, SEE 37 C.F.R. 1.50) NEW PATENT APPLICATION <b>10/511265</b>		INTERNATIONAL APPLICATION NUMBER PCT/IT02/00680	ATTORNEY DOCKET NUMBER 024931-00027																
		DATE: October 19, 2004																	
<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]:</b></p> <table> <tr> <td>Search Report has been prepared by the EPO or JPO.....</td> <td>\$950.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....</td> <td>\$750.00</td> </tr> <tr> <td>No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....</td> <td>\$790.00</td> </tr> <tr> <td>Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....</td> <td>\$1,110.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....</td> <td>100.00</td> </tr> </table>		Search Report has been prepared by the EPO or JPO.....	\$950.00	International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....	\$750.00	No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....	\$790.00	Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....	\$1,110.00	International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....	100.00	CALCULATIONS	PTO USE ONLY						
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<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)]. <table> <tr> <th>Claims</th> <th>Number Filed</th> <th>Number Extra</th> <th>Rate</th> </tr> <tr> <td>Total Claims</td> <td>12 - 20 =</td> <td>0</td> <td>X \$ 18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$ 88.00</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td>+ \$300.00</td> </tr> </table>		Claims	Number Filed	Number Extra	Rate	Total Claims	12 - 20 =	0	X \$ 18.00	Independent Claims	1 - 3 =	0	X \$ 88.00	Multiple dependent claim(s) (if applicable)			+ \$300.00	\$ 950.00	
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<b>TOTAL OF ABOVE CALCULATIONS =</b> Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).		\$ 1250.00																	
<b>SUBTOTAL =</b> Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +		\$ 625.00																	
<b>TOTAL NATIONAL FEE =</b> Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +		\$ 625.00																	
<b>TOTAL FEES ENCLOSED =</b>		\$ 665.00																	
		Amount to be refunded	\$																
		Charged	\$																
a. <input checked="" type="checkbox"/> Check #414297 in the amount of <u>\$665.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account Number 01-2300 in the amount of <u>\$ .00</u> to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 01-2300.																			
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																			
SEND ALL CORRESPONDENCE TO: Customer Number 004372 ARENT FOX PLLC 1050 Connecticut Avenue, NW Suite 400 Washington, DC 20036-5339 Telephone: (202) 857-6000 Fax: (202) 638-4810																			
 George E. Oram, Jr. Registration Number 27,931 <i>27931</i>																			